I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS **DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100**

B.W.LEE Name (Print)

Sianature

Customer No.:

PATENT TRADEMARK OFFICE

Docket No.: 1225/1G584US2

0300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David BERD

Serial No.: 09/776,250

Confirmation No.:

Filed:

February 1, 2001

For:

LOW DOSE HAPTENIZED TUMOR CELL AND TUMOR CELL EXTRACT IMMUNOTHERAPY

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

This submission is filed before a first action on the merits has been mailed.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37/CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Docket No. 1225/1G584US2

It is believed that no fee is due. However, if the Commissioner determines that a fee is due, the Commissioner is hereby authorized to charge the above deposit account for any deficiency.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Dated: June 5, 2001

Paul F. Fehlner, Ph.D. Registration No. 35,135 Attorney for Applicant(s)

DARBY & DARBY 805 Third Avenue New York, NY 10022 (212) 527-7700



U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

SHEET 1 OF 2 (REV. 7-80)

LIST OF REFERENCES CITED BY APPLICANT

(Use Several Sheets if Necessary)

DOCKET NO.:

1225/1G584US2

SERIAL NO:

09/776,250

APPLICANT:

David BERD

FILING DATE:

February 1, 2001

CONFIRMATION NO:

U.S. PATENT DOCUMENTS

*EXAMINER

DOCUMENT

INITIALS

NUMBER

DATE

<u>NAME</u>

CLASS SUBCLASS FILING DATE

1. 5,290,551

03/01/94 Berd

U.S. PATENT APPLICATIONS

*EXAMINER APPLICATION

INITIALS

<u>NUMBER</u>

NAME

FILING DATE

2. 09/304,859

Berd

05/04/99

FOREIGN PATENT DOCUMENTS

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*EXAMINER		DOCUMENT			TRANSLATION
<u>INITIALS</u>	NUMBER	<u>DATE</u>	COUNTRY	CLASS SUBCLASS	YES NO
+					
	3. WO 00/38710	07/06/00	PCT		
	4. WO 00/31542	06/02/00	PCT		
	5. WO 00/29554	05/25/00	PCT		
	6. WO 00/09140	02/24/00	PCT		
	7. WO 99/56773	11/11/99	PCT		
	8. WO 99/52546	10/21/99	PCT		
	9. WO 99/40925	08/19/99	PCT		
	10. WO 98/14206	04/09/98	PCT		
	11. WO 96/40173	12/19/96	PCT		

OTHER REFERENCES (INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)

*EXAMINER INITIALS

- 12. Bach et al., J. Immunol., 1978;121(4):1460-1468
- 13. Berd et al., Cancer Res 1991;51:2731



U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

SHEET <u>2</u> OF <u>2</u> (REV. 7-80)

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- 14. Berd et al., Cancer Res 1986;46:2572
- 15. Miller and Claman, J. Immunol 1976;117(5):1519
- 16. Nahas and Leskowitz, Cellular Immunol., 1980;54:241-247
- 17. Rötzschke et al., Nature 1990;348:252
- 18. Sato, Cancer Immunol Immunotherapy 1996;43:174
- 19. Sherman et al., J. Immunol., 1978;121:1432
- 20. Weigle, J. Exp. Med., 1965;122:1049-1063

EXAMINER:	DATE CONSIDERED:	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.